

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE CHIEF ADMINISTRATIVE HEARING OFFICER**

UTHAIWAN WONG-OPASI,)	
Complainant,)	
)	8 U.S.C. § 1324b Proceeding
)	
v.)	OCAHO Case No. 99B00044
)	
TENNESSEE STATE UNIVERSITY,)	Judge Robert L. Barton, Jr.
Respondent.)	
)	

UTHAIWAN WONG-OPASI,)	
Complainant,)	
)	8 U.S.C. § 1324b Proceeding
)	
v.)	OCAHO Case No. 99B00052
)	
STATE OF TENNESSEE)	Judge Robert L. Barton, Jr.
(GOV. DON SUNDQUIST, ET AL),)	
Respondent.)	
)	

UTHAIWAN WONG-OPASI,)	
Complainant,)	
)	8 U.S.C. § 1324b Proceeding
)	
v.)	OCAHO Case No. 99B00056
)	
TENNESSEE BOARD OF REGENTS (TBR),)	Judge Robert L. Barton, Jr.
Respondent.)	
)	

ORDER OF CONSOLIDATION
(January 5, 2000)

All three Respondents have filed motions requesting consolidation of these three cases filed by Complainant. Although Complainant opposes the motions, her responses to the motions were not timely and consequently were not accepted for filing. Respondents contend that the cases should be consolidated because they involve a common party (the Complainant), and the same issues (alleged

national origin and citizenship discrimination and retaliation by the State and its arms and officers in regard to the Complainant's former employment at Tennessee State University). Respondents assert that consolidation of these cases would conserve judicial resources and promote an efficient determination of these cases. I agree.

There is ample precedent for consolidating cases involving common parties, issues, and/or witnesses. See United States v. Mr. Hand Wash, Inc., d/b/a Universal Car Wash Co., et.al., OCAHO Case Nos. 98A00034, 98A00036, and 98A00052, Order of Consolidation (unpublished); United States v. Honeycutt and Honeycutt Tearoff, OCAHO Case Nos. 96A00008 and 96C00009 (Apr. 22, 1996) (Prehearing Conference Report and Order) (unpublished); Kupferberg v. University of Okla. Health Sciences Ctr., OCAHO Case No. 94B00012, and Kupferberg v. Oklahoma City, Okla. Dep't of Veterans Affairs Med. Ctr., OCAHO Case No. 94B00013, 4 OCAHO 884, 888 (Ref. No. 689)¹ (1994), 1994 WL 721903² (Order of Inquiry); Hensel v. Oklahoma City Veterans Affairs Med. Ctr., OCAHO Case No. 92B00021, and Hensel v. University of Okla. Health Sciences Ctr., 3 OCAHO 1321, 1322 (Ref. No. 532) (1993), 1993 WL 403085 (Order Granting Respondent Oklahoma City Veterans Affairs Medical Center's Motion for Summary Decision and Order Granting Respondent University of Oklahoma Health Sciences Center's Motion for Summary Judgment); United States v. Mesa Airlines, OCAHO Case No. 88200001, and United States v. Mesa Airlines (In re Charge of Komsu), OCAHO Case No. 88200002, 1 OCAHO 462, 465 (Ref. No. 74) (1989), 1989 WL 433896 (Final Decision and Order). Since there are common parties and issues here, and if these cases proceed to trial, it is expected that there will be some common witnesses, Respondents' motions for consolidation are granted. The three cases are hereby

¹ Citations to OCAHO precedents in bound Volumes 1-2, Administrative Decisions Under Employer Sanctions and Unfair Immigration-Related Employment Practices Laws of the United States, and bound Volumes 3-7, Administrative Decisions Under Employer Sanctions, Unfair Immigration-Related Employment Practices and Civil Penalty Document Fraud Laws of the United States, reflect consecutive decision and order reprints within those bound volumes; pinpoint citations to pages within those issuances are to specific pages, seriatim, of the pertinent volume. Pinpoint citations to OCAHO precedents in volumes subsequent to Volume 7, however, are to pages within the original issuances.

² If available, parallel Westlaw citations will be given to OCAHO decisions. OCAHO decisions published in Westlaw are located in the "FIM-OCAHO" database.

consolidated pursuant to the OCAHO Rules of Practice and Procedure, 28 C.F.R. § 68.16 (1999) Federal Rule of Civil Procedure 42(a). In future pleadings, the parties are ordered to use the above caption showing all three cases in the heading.

ROBERT L. BARTON, JR.
ADMINISTRATIVE LAW JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of January 2000, I have served the foregoing Order of Consolidation on the following persons at the addresses shown, by first class mail, unless otherwise noted:

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